

**Fleming County Project Development Board**  
**160 West Electric Avenue, Flemingsburg, KY 41041**  
**Record of Meeting, February 10, 2009, 5:00 pm Eastern**

The meeting was called to order at 5:000 pm by Chairperson CJE Larry H. Foxworthy. Roll Call was completed as noted below:

**Present:** Larry H. Foxworthy, Pam Lowe, Marvin W. Suit, Judge Stockton B. Wood (5:12PM), Judge W. Todd Walton II and David DeAtley (5:20 PM)

**Absent:** Louie Flanery and J. Scott Brown

**Other Attendees:** Sam Howard and Jason Walton, Trace Creek Construction, Inc (TCCI)  
Eric Chambers, Alex Sasmay, Brandstetter Carroll Architects (BCA)  
Jeff Lilly, Administrative Office of the Courts, Dept. of Facilities (AOC)  
Keith Brock, Ross, Sinclair and Associates (RSA)

**Old Business:** A motion was made to approve the Fleming County Project Development Meeting minutes of January 2, 2009. Motion by Suit. Seconded by Lowe. All in favor.

**New Business:** A motion was made to approve executive committee meeting via teleconference required to expedite Change Order 1 with H.C. Nutting for \$ 180.00. Motion by Walton. Seconded by Suit. All in favor.

A motion was made to approve Request for Disbursement to Interstate Environmental Services \$ 4,470.00 and H.C. Nutting \$ 7,030.00. Motion by Walton. Seconded by Lowe. All in favor.

The new AOC Project Manager for the Fleming County Judicial Center project is not Wayne Williams. Jeff Lilly stated he did not know who would be assigned to the Fleming County Judicial Center project but would assist the board if needed.

Mr. Lilly requested information regarding the payment made to Adams Refrigeration for installing HVAC unit in the Dudley House. Chairperson Foxworthy explained the purchase of Dudley House was included in the land acquisition of Community Trust Bank. Lilly suggested that future maintenance issues regarding property owned for the purpose of the new judicial center should be forwarded to AOC Department of Facilities to assess the situation. Sam Howard with Trace Creek Construction offered to assist with any maintenance issues that may arise.

Eric Chambers presented geotechnical and environmental study overviews. Discussion was held regarding Bore # 3 sample containing petroleum based odor and additional testing of bore sample is needed. Two additional borings will be completed upon completion of buildings demolition. Estimates will be procured to conduct further drilling.

Trace Creek Construction solicited four testing firms to provide proposals to test the bore sample with fuel odor. Only two companies provided a quote, Lee Environmental quoted \$ 2,500.00 and H.C. Nutting quoted \$ 2,800.00. Trace Creek

Construction recommended H.C. Nutting to complete the study due to familiarity of the site and scope of work.

A motion was made to accept TCCI recommendation's to accept H.C. Nutting's proposal of \$ 2,800.00 for Bore # 3 sample testing. Motion by Wood. Seconded by DeAtley. All in favor.

A full report of the sample testing will be provided by H.C. Nutting at the next meeting per Howard.

Alex Sasmay presented visual renderings of the new judicial center and updated floor plan. Discussion was held regarding location of ADA accessibility, sidewalk replacement and pavers, finished floor elevation and security issues. The design is currently under review for compliance with structural, mechanical and electrical codes. Brandstetter Carroll Architects will provide a 3-D rendering of their respective areas to Circuit Clerk Pam Lowe, Judge Walton and Judge Wood.

The naming of the new judicial facility must comply with guidelines stated in AP Part X. Mr. Chambers suggested to the board that a decision needs to be made regarding the name of the new facility.

There was a meeting held today at 2:00 PM at the City annex building with Kentucky Utilities, Windstream, Trace Creek Construction and Brandstetter Carroll Architects to develop work plan and cost estimates for relocation of existing utilities and installation of underground utilities. Efforts will continue to develop working plan with local utilities and Kentucky Department of Transportation.

Mr. Howard presented Trace Creek Construction's Opinion of Probable Cost Budget and reviewed primary facilities budget items and supporting facilities budget items. A detailed estimate of utilities relocation and underground utilities installation must be reviewed by AOC before a Letter of Intent can be authorized by Chairperson Foxworthy per Mr. Lilly. Mr. Lilly requested all costs of onsite and offsite utilities development needs to be reviewed by AOC before proceeding. Mr. Howard gave preliminary costs of \$ 104,000.00 will be charged by Kentucky Utilities and Windstream for relocation of existing utilities. Other alternatives are going to be discussed further before any decision is made. Mr. Howard will produce a complete cost benefit analysis of both options for Mr. Lilly's review.

Mr. Brock with Ross, Sinclair and Associates presented municipal market data graph explaining annual use allowance and potential costs.

The next meeting will be held on Tuesday, March 3, 2009 at 5:00 PM.

A motion was made to adjourn at 6:10 PM. Motion by Walton. Seconded by Lowe. All in favor.